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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 AMANDA MILNER,

12 Plaintiff,

13 v.

14 MICHAEL J. ASTRUE, Commissioner of
15 the Social Security Administration

16 Defendant.

17 CASE NO. 11-cv-05554 RJB

18 REPORT AND
19 RECOMMENDATION ON
20 UNOPPOSED MOTION FOR
21 REMAND

22 This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to
23 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by
24 Mathews, Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the
Court on Defendant's unopposed motion to remand the matter to the administration for
further consideration. (ECF No. 8.)

22 Based on Defendant's Motion for Remand pursuant to sentence six of section
23 405(g) of the Social Security Act, 42 U.S.C. § 405(g) and noting that good cause for
24 remand has been shown due to the inaudible nature of the hearing recordings, the

1 undersigned recommends that the Court grant Defendant's motion, and remand this
2 matter to the Commissioner.

3 • The case should be remanded to an Administrative Law Judge for a *de novo*
4 hearing.

5 • This Court should maintain jurisdiction over the case.

6 • Defendant shall advise the court of the outcome of the remand hearing.

7 • If the outcome of the remand hearing is not favorable to Plaintiff, Defendant
8 shall move to reinstate the case so that Plaintiff need not file a new complaint
9 in order to obtain judicial review.

10 Given the facts and the lack of opposition from Plaintiff, the undersigned
11 recommends that the District Judge immediately approve this Report and
12 Recommendation and order that the case be **REMANDED** pursuant to sentence six of
13 42 U.S.C. § 405(g).

14 Dated this 6th day of October, 2011.



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16 J. Richard Creatura
17 United States Magistrate Judge
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